

Public Law 839

CHAPTER 783

AN ACT

To authorize the commissioner of public lands to sell public lands located at Welliweli, Island of Kauai, to certain claimants.

July 30, 1956
[H. R. 7888]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any provision of section 73 of the Hawaiian Organic Act, or of the laws of Hawaii relating to public lands, to the contrary notwithstanding, the commissioner of public lands, with the approval of the Governor and two-thirds of the members of the board of public lands, in his discretion, may transfer and convey by quitclaim deeds to claimants who are citizens of the United States, or who have legally declared their intentions to become citizens of the United States and upon becoming such, and who claim under color of title any portion of the tract of land described as follows:

Hawaii.
Sale of public
lands.
31 Stat. 154.
48 USC 663note.

PORTION OF THE GOVERNMENT LAND OF WELIWELI AT WELIWELI, KONA,
KAUAI

Being portion of the Government land of Welliweli occupied and claimed by various persons as portions of grant 1408 to Kauaihewa and grant 1416 to Eke Opunui.

Beginning at a pipe in ahu at the northwest corner of this parcel of land and on the boundary between the lands of Koloa and Welliweli, said pipe in ahu marking the end of course 40 of land court application 956 and being the initial point of lot A of land court application 1188, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAAUKAHI" being 23,298.80 feet south and 2,361.40 feet east, and running by azimuths measured clockwise from true south:

1. 261 degrees 57 minutes 30 seconds 328.40 feet along land court application 1188 to a pipe;

2. 14 degrees 22 minutes no seconds 573.10 feet along grant 1408 to Kauaihewa to a pipe set in top of stonewall;

3. 117 degrees 30 minutes no seconds 46.10 feet along R. P. 3750, L. C. Aw. 3359, Apana 1 to Niihau to a pipe;

4. 348 degrees 30 minutes no seconds 102.90 feet along R. P. 3750, L. C. Aw. 3359, Apana 1 to Niihau to a pipe;

5. 14 degrees 22 minutes no seconds 86.36 feet along grant 1408 to Kauaihewa and grant 1416 to Eke Opunui;

6. 105 degrees 35 minutes no seconds 21.81 feet along land court application 1373;

7. 8 degrees 33 minutes no seconds 112.00 feet along land court application 1373 to seashore at high-water mark;

Thence along seashore at high-water mark for the next three courses, the direct azimuths and distances between points at seashore being:

8. 68 degrees 56 minutes 30 seconds 117.28 feet;

9. 74 degrees 53 minutes no seconds 54.75 feet;

10. 65 degrees 18 minutes no seconds 173.90 feet; thence

11. 193 degrees 27 minutes 932.00 feet along the boundary between the lands of Koloa and Welliweli to the point of beginning and containing a gross area of 260,235 square feet after deducting and excluding therefrom the following described parcel of land being the present Kuai and Poipu Roads and additional areas required for widening said roads to a width of 50 feet:

Beginning at the west corner of this parcel of land, on the new south side of Poipu Road and on the boundary between the lands of Koloa and Welliweli, the coordinates of said point of beginning

referred to as Government Triangulation Station "LAAUKAHI" being 23,902.35 feet south and 2,217.06 feet east, and running by azimuths measured clockwise from true south:

1. 193 degrees 27 minutes no seconds 50.03 feet along the boundary between the lands of Koloa and Weliweli;

2. 285 degrees 33 minutes no seconds 96.98 feet along the new north side of Poipu Road;

3. Thence on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being: 239 degrees 55 minutes 30 seconds 28.59 feet;

4. 194 degrees 18 minutes no seconds 565.43 feet along the new west side of Kuai Road;

5. Thence along the west side of Kuai Road, on a curve to the left with a radius of 829.00 feet, the chord azimuth and distance being: 192 degrees 58 minutes 04 seconds 38.55 feet;

6. 261 degrees 57 minutes 30 seconds 52.91 feet along land court application 1188;

7. Thence along the new east side of Kuai Road, on a curve to the right with a radius of 879.00 feet, the chord azimuth and distance being: 12 degrees 23 minutes 13 seconds 58.69 feet;

8. 14 degrees 18 minutes no seconds 567.39 feet along the new east side of Kuai Road;

9. Thence on a curve to the left with a radius of 20.00 feet, the chord azimuth and distance being: 329 degrees 55 minutes 30 seconds 27.97 feet;

10. 285 degrees 33 minutes no seconds 107.56 feet along the new north side of Poipu Road;

11. 14 degrees 22 minutes no seconds 39.81 feet along grant 1416 to Eke Opunui;

12. 105 degrees 33 minutes no seconds 21.81 feet along land court application 1373;

13. 8 degrees 33 minutes no seconds 10.28 feet along land court application 1373;

14. 105 degrees 33 minutes no seconds 272.98 feet along the new south side of Poipu Road to the point of beginning and containing an area of 46,410 square feet.

Reserving also to the Territory of Hawaii in perpetuity an easement fifteen feet wide for storm drain purposes upon and across that portion of the government land of Weliweli occupied by the B. D. Baldwin Trust Estate, running from the new south side of Poipu Road to the sea, described as follows:

Being a strip of land 15.00 feet wide, extending for 7.50 feet on each side of the centerline described as follows:

Beginning at the north end of this right-of-way on the new south side of Poipu Road, at a point which is 105 degrees, 33 minutes, no seconds, 131.49 feet from the end of course 13 of the road exclusion as described above, the coordinates of said point of beginning referred to Government Survey Triangulation Station "LAAUKAHI" being 23,940.28 feet south and 2,353.37 feet east, and running by azimuths measured clockwise from true south:

- 1.359 degrees 19 minutes no seconds 178.00 feet to seashore at high-water mark.

SEC. 2. The lot claimed shall be conveyed for a fair and reasonable price, which price shall be determined by a disinterested appraiser or appraisers, but not more than three to be appointed by the Governor, and all improvements thereon shall be valued at \$1.

SEC. 3. The commissioner may, prior to executing such quitclaim deeds, require that claimants quitclaim to the Territory any claim they may have in and to the roadways hereinabove described, and the easement hereinabove referred to. Quitclaims to Territory.

SEC. 4. This Act shall take effect on and after the date of its approval. Effective date.
Approved July 30, 1956.

Public Law 840

CHAPTER 784

AN ACT

To amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen. July 30, 1956
[H. R. 256]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (2) of subsection (a) of section 64 of the Bankruptcy Act (11 U. S. C., sec. 104 (a)) is amended to read as follows: "(2) wages and commissions, not to exceed \$600 to each claimant, which have been earned within three months before the date of the commencement of the proceeding, due to workmen, servants, clerks, or traveling or city salesmen on salary or commission basis, whole or part time, whether or not selling exclusively for the bankrupt; and for the purposes of this clause, the term 'traveling or city salesman' shall include all such salesmen, whether or not they are independent contractors selling the products or services of the bankrupt on a commission basis, with or without a drawing account or formal contract;"

Bankruptcy.
Priority of debts.
52 Stat. 874.

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to proceedings commenced on or after the date of the enactment of this Act.

Approved July 30, 1956.

Public Law 841

CHAPTER 785

AN ACT

Relating to the use of storage space in the Buford Reservoir for the purpose of providing Gwinnett County, Georgia, a regulated water supply. July 30, 1956
[H. R. 8265]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is hereby authorized to contract with Gwinnett County, Georgia, upon such terms and for such period not to exceed fifty years as he may deem reasonable for the use of storage space in the Buford Reservoir for the purpose of providing said county a regulated water supply in an amount not to exceed eleven thousand two hundred acre-feet of water annually, and is authorized to grant to Gwinnett County, at no cost, easement over Government lands at Buford Reservoir for the sole purpose of constructing, repairing, and maintaining necessary pipelines and pumping station to remove such water from said reservoir, and the project for Buford Dam authorized by the Act, entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," being Public Law 525, Seventy-ninth Congress, second session, approved July 24, 1946, is hereby modified accordingly: *Provided*, That all moneys received shall be deposited in the Treasury of the United States as miscellaneous receipts: *Provided further*, That nothing herein contained shall affect water rights under State law.

Gwinnett County,
Ga.
Storage in Buford
Reservoir.

60 Stat. 634.

Approved July 30, 1956.